IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.472 OF 2006

IN

SUMMARY SUIT NO.1932 OF 2006

Shabbir Mulla Abdul Rasool Behrainwala ...Plaintiff.

vs.

1. M/s.M.A.Metal Corporation & others. ...Defendants.

Mr.A.N.Nasikwala, for Plaintiff.

Mr.Neville Majra i/b. M/s.Yusufs & Associates, for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 9th January, 2007.

P.C.:-

1. The plaintiff has filed this suit for recovery of the amount of the cheque which was given by the defendants to the plaintiff and which is dishonoured. The defendants are admittedly served with the summons for judgment in the month of October,2006 within a period allowed by the provisions of Order 37 of the Civil Procedure Code. There is no application filed by the defendants seeking leave of the

court to defend the suit. Therefore, in view of the provisions of Order 37 of C.P.C. the plaintiff is entitled to a decree.

2. Heard the learned Counsel appearing for plaintiff. Perused the record. The summons for judgment is granted. The suit of the plaintiff is decreed in terms of prayer clause (a) and (b). Refund of court fees as per rules.